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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 Estados Unidos Mexicanos,

10 Plaintiff,

11 v.

12 Diamondback Shooting Sports
13 Incorporated, et al.,

14 Defendants.

No. CV-22-00472-TUC-RM

ORDER

15 Plaintiff Estados Unidos Mexicanos initiated this action on October 10, 2022.
16 (Doc. 1.) On August 29, 2023, the case was randomly reassigned to the undersigned after
17 the recusal of the formerly assigned district judge. (Doc. 40.) Defendants' Motion to
18 Dismiss (Doc. 18) is pending before the Court. In light of the pending Motion to
19 Dismiss, Defendants have not yet answered the Complaint. *See* Fed. R. Civ. P. 12(a)(4)
20 (when a party files a motion under Rule 12(b), its responsive pleading is due within 14
21 days after resolution of the motion, unless the court sets a different time).

22 On February 22, 2024, the Court held a scheduling conference and hearing on
23 Defendants' pending Motion to Dismiss. (Doc. 47.) In advance of the hearing, the
24 parties filed a Joint Report pursuant to Federal Rule of Civil Procedure 26(f). (Doc. 45.)

25 The Court finds that this matter is complex within the meaning of Local Rule of
26 Civil Procedure 16.2(b)(4). Given the pending Motion to Dismiss and the complexity of
27 this case, the Court finds good cause for delay in issuance of a scheduling order under
28 Federal Rule of Civil Procedure 16(b)(2).

1 The Court sets the following deadlines below and will set other deadlines after
2 resolving Defendants' Motion to Dismiss.

3 **IT IS ORDERED:**

4 1. If resolution of Defendants' Motion to Dismiss does not result in the
5 dismissal of this action, Defendants shall answer Plaintiff's Complaint
6 within **fourteen (14) days** of resolution of the Motion to Dismiss.

7 2. Within **twenty-one (21) days** of this Court's resolution of the Motion to
8 Dismiss, the parties shall submit the following:

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- 10 • A Joint Notice regarding the number of depositions, interrogatories,
11 and requests for production needed by each side, including brief
12 arguments in support of each side's proposed numbers if agreement
13 cannot be reached;
 - 14 • Proposed deposition protocol;
 - 15 • Proposed expert discovery protocol;
 - 16 • A stipulated proposed protective order governing the discovery of
17 confidential or sensitive materials; and
 - 18 • Proposed protocol governing the disclosure of electronically stored
19 information;

20 The parties shall meet and confer as necessary to prepare the above
21 submissions. The parties shall also meet and confer regarding the prospects
22 for obtaining permission from the Mexican Central Authority for the Hague
23 Evidence Convention as necessary to depose Mexican citizens and other
24 third country nationals in Mexico.

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1 3. Initial Disclosures under Federal Rule of Civil Procedure 26(a)(1) are due
2 within **twenty-eight (28) days** from the filing of Defendants' answers.

3 Dated this 11th day of March, 2024.

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Honorable Rosemary Márquez
United States District Judge